



CASE 4-31824B

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV268926224US

Express Mail Label Number

May 21, 2003

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

JOHN R. DALES

APPLICATION NO: 09/265,926

FILED: MARCH 11, 1999

FOR: PREPARATION OF PURINES

Art Unit: 1624

Examiner: M. Berch

RECEIVED

MAY 27 2003

TECH CENTER 1600/2900

MS Appeal Brief
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

Sir:

The Board of Patent Appeals and Interferences mailed the above-identified Order on April 29, 2003. In the Order it is stated "There is no indication that the Appeal Brief fee has been received and/or applied. 37 CFR § 1.192."

Included herewith is a copy of a Transmittal Letter which accompanied the Appeal Brief and was mailed on October 22, 2001. The Transmittal Letter specifically authorized charging the Appeal Brief fee to Deposit Account 19-0134 in the name of Novartis Corporation. Also included herewith is a copy of the postcard receipt stamped by the U.S.P.T.O. acknowledging receipt of the Appeal Brief and fee.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 430
East Hanover, NJ 07936-1080
(862) 778-7909

Thomas R. Savitsky
Thomas R. Savitsky
Attorney for Applicant
Reg. No. 31,661

Date: May 21, 2003



CASE 4-31824B

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL813100477US
Express Mail Label Number

October 22, 2001
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

JOHN R. DALES

APPLICATION NO: 09/265,926

FILED: MARCH 11, 1999

FOR: PREPARATION OF PURINES

Art Unit: 1624

Examiner: M. Berch

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

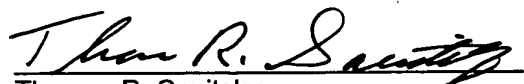
Sir:

Enclosed herewith are three copies of the Appeal Brief in the above-identified application.

- ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of \$320 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis Corporation.

Respectfully submitted,

Novartis Corporation
Patent and Trademark Dept.
564 Morris Avenue
Summit, NJ 07901-1027
(908) 522-6765
Date: October 22, 2001


Thomas R. Savitsky
Attorney for Applicant
Reg. No. 31,661

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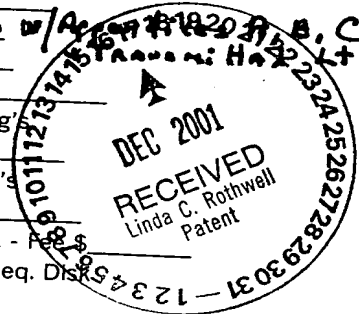


Case No. 4-31824B/SKB
Application No. 09/265,926
Mailing Date: 10-22-01
Due Date: _____

Express Mail No.: EL81310047745

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

- ☐ Amendment/Response/Letter - Fee \$ _____
☐ Appln. Filing Papers - Fee \$ _____
 ☐ PCT National Stage
 ☐ Provisional Application
 ☐ CPA ☐ DIV ☐ CONT ☐ CIP
 ☐ Specification _____ Pg's
☐ Executed/Unexecuted Decl. - Fee \$ _____
 ☐ Missing Parts/Missing Req.
☐ Preliminary Amendment _____ Pg's
☐ Claim of Priority ☐ Certified Copy(s)
☐ Amendment After Final
☐ Notice of Appeal - Fee \$ _____
☒ Appeal Brief - Fee \$ 320 w/ Appeal #1820 H.A.C.
☐ Issue Fee Payment \$ _____
☐ Assignment Rec. Req. - Fee \$ _____
☐ Formal Drawings _____ Pg's
☐ IDS _____ Pg's - Fee \$ _____
☐ PTO-1449 Form _____ Pg's
☐ Pet. for Ext. of Time - Fee \$ _____
☐ Pet. to Convert to Prov. Appln. - Fee \$ _____
☐ Seq. Listings _____ Pg's/Seq. Disks
☐ _____
☐ _____
TRS
Initials



82972/99A

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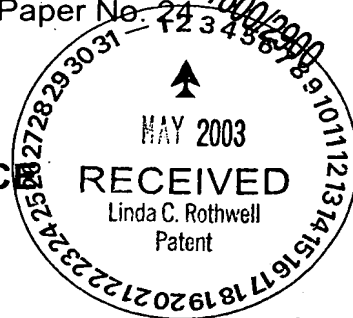
MAY 27 2003

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The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.



Paper No. 24348678



UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte JOHN R.M. DALES

Application No. 09/265,926

MAILED

APR 29 2003

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 3, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

There is no indication that the Appeal Brief fee has been received and/or applied. 37 CFR § 1.192.

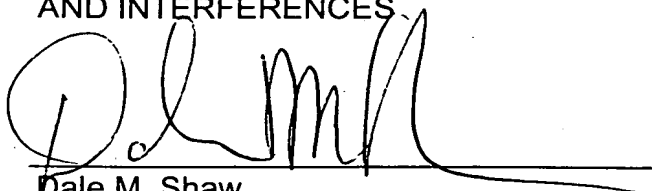
Accordingly, it is

ORDERED that the application is returned to the Examiner for resolution of the above matter, and for such further action as may be appropriate.

Application No. 09/265,926

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

Dale M. Shaw
Program and Resource Administrator
(703) 308-9797

Application No. 09/265,926

Thomas Hoxie
Novartis, Corporate Intellectual Property
One Health Plaza 430/2
East Hanover, NJ 07936-1080

dem
RA03-0281